

HONORABLE LAUREN KING

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

MICHAEL EVITT,

Plaintiff,

v.

EXPERIAN INFORMATION
SOLUTIONS, INC., et al.,

Defendants.

Case No.: 3:23-cv-05294-LK

**EXPERIAN'S STATUS REPORT
REGARDING ARBITRATION
PROCEEDING**

Defendant Experian Information Solutions, Inc. (Experian), pursuant to the Court's Order of April 8, 2024 (ECF Doc. 64), submits this Status Report regarding the arbitration proceeding between Plaintiff and Experian.

After full briefing on the issue, this Court determined that Plaintiff is contractually obligated to arbitrate his claims against Experian and granted Experian's Motion to Compel Arbitration. ECF Doc. 64. This Court also ordered the Parties to "file a joint Notice setting forth the status of the arbitration proceedings on or before May 8, 2024, and every 30 days thereafter until the conclusion of the arbitration." *Id.* at 15. After Experian did not receive a draft status report from Plaintiff, Experian drafted and sent a joint status report to Plaintiff for his consideration that simply stated that Plaintiff had not yet filed a demand in arbitration. Plaintiff did not even consider filing a joint report, but instead stated that he would file his own report and did so minutes later.

1 Plaintiff's filing (ECF Doc. 66), styled as "Plaintiff's Status Report and Motion to
2 Withdraw Case from Arbitration," does not comply with the Court's Order (ECF Doc. 64) or the
3 Civil Rules. Instead, Plaintiff disingenuously attempts to relitigate the merits of Experian's Motion
4 to Compel Arbitration, which this Court has already decided. Plaintiff's argument that Experian
5 has waived its right to arbitrate because Experian has not filed a demand in arbitration is
6 nonsensical. It is axiomatic that Experian would not initiate arbitration against itself.

7 Pursuant to the Court's April 8 Order, Experian will plan to work with Plaintiff to file a
8 joint Notice regarding the status of the arbitration in thirty (30) days.

9 DATED: May 8, 2024.

10 STOEL RIVES LLP

11 *s/Rachel D. Groshong*

12 Rachel D. Groshong, WSBA No. 47021

13 Rachel.groshong@stoel.com

14 STOEL RIVES LLP

15 600 University Street, Suite 3600

16 Seattle, WA 98101

17 Telephone: 206.624.0900

18 Facsimile: 206.386.7500

19 *Attorney for Defendant Experian Information*
20 *Solutions, Inc.*